

ASB

# UNITED STATES DISTRICT COURT

for the

Eastern District of Pennsylvania

United States of America

v.

MARQUISE LATIMER

Defendant(s)

Case No.

20-257-M

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of see attached Affidavit in the county of Philadelphia in the Eastern District of Pennsylvania, the defendant(s) violated:

Code Section

18 U.S.C. § 2252(a)(2)

Offense Description

Distribution and attempted distribution of child pornography

This criminal complaint is based on these facts:

See attached Affidavit.

☒ Continued on the attached sheet.



Complainant's signature

Meagan M. Moody, Special Agent, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: 02/20/2020



Judge's signature

City and state: Philadelphia, Pennsylvania

Hon. Carol Sandra Moore Wells, U.S.M.J.

Printed name and title

20-257M

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

I, Meagan M. Moody, a Special Agent (SA) with the Federal Bureau of Investigation (FBI), Philadelphia Division, being duly sworn, depose and state as follows:

1. I have been employed as a Special Agent of the FBI since July 2018, and am currently assigned to the Philadelphia Division's Violent Crimes Against Children Squad. While employed by the FBI, I have investigated federal criminal violations related to human trafficking and sexual exploitation of children. I have gained experience through training at the FBI Academy, as well as everyday work related to conducting these types of investigations. I have received training in the area of child pornography and child exploitation, and have had the opportunity to observe and review examples of child pornography (as defined in 18 U.S.C. § 2256) in various forms of media, including computer media.

2. As a federal agent, I am authorized to investigate violations of laws of the United States and to execute warrants issued under the authority of the United States.

3. This affidavit is being submitted in support of a criminal complaint and arrest warrant charging MARQUISE LATIMER, date of birth July 2, 1989, with distribution of visual depictions of minors engaging in sexually explicit conduct, in violation of Title 18, United States Code, Section 2252.

4. The statements in this affidavit are based on my investigation of this matter and on information provided by other law enforcement officers. Because this affidavit is being submitted for the limited purpose of obtaining a criminal complaint, I have not included each and every fact known to me concerning this investigation. I have set forth only those facts that I

believe are necessary to establish probable cause to believe that MARQUISE LATIMER committed violations of Title 18 U.S.C. § 2252.

### **LEGAL AUTHORITY**

5. Title 18 U.S.C. § 2252(a) prohibits a person from knowingly transporting, shipping, receiving, distributing, reproducing for distribution, possessing, or accessing with intent to view any visual depiction of minors engaging in sexually explicit conduct, or produced using a minor engaged in such conduct, when such visual depiction was either mailed or shipped or transported in interstate or foreign commerce, or in or affecting interstate commerce, by any means, including by computer, or when such visual depiction was produced using materials that had traveled in interstate or foreign commerce, and any attempts to do so.

### **FACTS SUPPORTING PROBABLE CAUSE**

6. In March 2019, a Detective with the Atlantic County Prosecutor's Office in New Jersey, who is also assigned as a Task Force Officer (TFO) with FBI Newark, Atlantic City Resident Agency, served a search warrant on Google, requesting content and information for the Google account LEY26LEY26@GMAIL.COM to search it for evidence relating to Endangering the Welfare of Children, in violation of N.J.S.A. 2C:24-4b(5)(b). A review of the Google results for the account LEY26LEY26@GMAIL.COM uncovered emails containing child pornography videos, which had been received and distributed by the user of this account. In April 2019, the Atlantic County Prosecutor's Office arrested the individual who used the email address LEY26LEY26@GMAIL.COM for Possession of Child Pornography, in violation of N.J.S.A. 2C:24-4B(5)BII, and Distribution of Child Pornography, in violation of N.J.S.A. 2C:24-4B(5)AI.

7. A review of the Google results for the account LEY26LEY26@GMAIL.COM also uncovered emails sent and received in December 2018 between



LEY26LEY26@GMAIL.COM and the account BIGBOY912004@YAHOO.COM that contained child pornography. Your Affiant reviewed all of these files, and in your Affiant's opinion, they depict child pornography as defined in 18 U.S.C. § 2256, namely nude, prepubescent boys engaged in sexually explicit conduct, to include masturbation, genital to genital contact, and oral sex with adult males.

8. Specifically, on December 9, 2018, BIGBOY912004@YAHOO.COM sent LEY26LEY26@GMAIL.COM one video with the filename 403205292106210260.mp4 depicting a nude male performing oral sex from behind on a nude, prepubescent boy. In response, LEY26LEY26@GMAIL.COM sent BIGBOY912004@YAHOO.COM four videos depicting child pornography, described as follows:

a. **5af8fb9d-fcc2-4fa0-bd42-87e616d64012.mp4** – a video file depicting a nude, prepubescent boy, with no pubic hair, sitting on the lap of an adult male who has his penis between the legs of the boy. The boy is bouncing up and down on the male's lap and the male's penis is rubbing on the genitals of the boy.

b. **7d8b5b9b-d3f6-45f9-b7d5-e63a823b7774.mp4** – a video file depicting a nude, prepubescent boy, with no pubic hair, performing oral sex on an adult male.

c. **6696b1d5-951c-4027-9b89-a39e84a69b33.mp4** – a video file depicting a nude, prepubescent boy, with no pubic hair, masturbating an adult male's penis and also performing oral sex on the adult male.

d. **78638da4-c249-4c41-85c7-62a649af300e.mp4** – a video file depicting a clothed minor boy performing oral sex on an adult male.

9. On September 13, 2019, a subpoena requesting account information was served on Oath Holdings Inc. (Oath) for the account BIGBOY912004@YAHOO.COM. Information

provided by Oath showed the account was still active, and had an alternate communication channel listed as MARQUISELATIMER@GMAIL.COM, phone number 267-245-1432, registration IP address 151.204.41.2, and full name Mr. MARQUISE LATIMER associated with the account. Records checks based on the information provided by Oath for the name MARQUISE LATIMER and telephone number 267-245-1432 showed a MARQUISE LATIMER residing at 2545 West Harold Street, Philadelphia, PA.

10. On November 7, 2019, search warrant No. 19-1880 was signed by United States Magistrate Judge Elizabeth T. Hey, Eastern District of Pennsylvania, for the email account BIGBOY912004@YAHOO.COM. On November 13, 2019, Oath returned records for the account BIGBOY912004@YAHOO.COM. A review of search warrant results showed that the aforementioned emails between BIGBOY912004@YAHOO.COM and LEY26LEY26@GMAIL.COM containing child pornography were still saved in this email account. The email sent on December 9, 2018 from BIGBOY912004@YAHOO.COM to LEY26LEY26@GMAIL.COM containing one video of child pornography was sent at 10:35:09 AM. The email sent from LEY26LEY26@GMAIL.COM to BIGBOY912004@YAHOO.COM containing four videos of child pornography was received at 11:19:50 AM.

11. On this same date, December 9, 2018, BIGBOY912004@YAHOO.COM received two emails from Dropbox (no-reply@dropbox.com) notifying the user that an iPhone had signed into their Dropbox account. These emails show that the user of this email account had an active Dropbox account associated with the email account BIGBOY912004@YAHOO.COM. These emails were received at 2:24:57 AM and 10:36:18 AM. The latter email was received around the time the child pornography videos were exchanged, indicating the user of the email account BIGBOY912004@YAHOO.COM may have



been using Dropbox to store child pornography.

12. On December 13, 2018, BIGBOY912004@YAHOO.COM received an email from Dropbox stating that M LA (MARQUISELATIMER@AOL.COM) had invited the user of the email account BIGBOY912004@YAHOO.COM to edit the folder “Vids” on Dropbox. The receipt of this email indicates there was an active Dropbox account with the username MARQUISELATIMER@AOL.COM. MARQUISE LATIMER was also the name used to register the email account BIGBOY912004@YAHOO.COM, indicating the same person may have been using these email accounts and Dropbox accounts.

13. On December 11, 2019, search warrant No. 19-2071 was signed by United States Magistrate Judge Carol Sandra Moore Wells, Eastern District of Pennsylvania, for the Dropbox accounts BIGBOY912004@YAHOO.COM and MARQUISELATIMER@AOL.COM. On December 16, 2019 Dropbox returned records for the accounts BIGBOY912004@YAHOO.COM and MARQUISELATIMER@AOL.COM.

14. The account BIGBOY912004@YAHOO.COM had user name Lom Hb and user ID 1539114720. The user joined Dropbox on September 29, 2018. As of December 16, 2019 – the date on which Dropbox returned records in response to search warrant No. 19-2071 – the account had an active status. The most recent login to the account occurred on December 6, 2019 from IP address 64.121.230.113. Two mobile devices had been used to log into the account, an iPhone 10 (Cricket Wireless) and an iPhone 9 (T-Mobile).

15. There were 44 files in the BIGBOY912004@YAHOO.COM Dropbox account (1 image and 43 videos). Your Affiant reviewed the files and found approximately 35 video files depicting child pornography. These files depict prepubescent boys with no pubic hair engaged in sexual activity, including oral sex, anal sex, and masturbation with other prepubescent boys

and/or adult males, as well as nude, prepubescent boys displaying their genitals in a lascivious manner. Three of the files are described as follows:

a. **[boy+man] making love.wmv** – a video file depicting an adult male and a prepubescent boy with no pubic hair performing masturbation and oral sex on each other. The file was added to the Dropbox account on December 1, 2019, at 16:04:26 GMT.

b. **[MB] aard\_x.atado2(NewRarePrivate).wmv** – a video file depicting an adult male engaging in anal sex with a minor boy whose genitals are not visible. The file was added to the Dropbox account on December 1, 2019, at 16:12:14 GMT.

c. **Sash memoirs 1.wmv** – a video file depicting an adult male engaging in masturbation, oral sex, and anal sex with a prepubescent boy with no pubic hair. The file was added to the Dropbox account December 1, 2019, at 16:14:50 GMT.

16. On December 1, 2019 – the date these files were uploaded – the user of Dropbox account BIGBOY912004@YAHOO.COM logged in at 16:02:12 GMT from IP address 64.121.230.113. This IP address was assigned by the Internet Service Provider RCN Telecom Services LLC. On February 2, 2020, in response to an Administrative subpoena, RCN Telecom Services LLC provided subscriber information and IP address history for IP address 64.121.230.113. The subscriber assigned this IP address on December 1, 2019, at 16:02:12 GMT, was MARQUISE LATIMER, 230 Greenwood Road, Sharon Hill, PA 19079, with an account activation date of August 30, 2019. The account status was active, and the telephone number 267-245-1432 and email address MARQUISELATIMER@GMAIL.COM were associated with the account.

17. The Dropbox account MARQUISELATIMER@AOL.COM had username M La, email MARQUISELATIMER@AOL.COM, and user ID 1650973792. The user joined Dropbox



on November 5, 2018, and as of December 16, 2019 – the date on which Dropbox returned records in response to search warrant No. 19-2071 – the current account status was active. The most recent login to the account occurred on December 6, 2019 from IP address 64.121.230.113. Two mobile devices had been used to log into the account, an iPhone 10 (Cricket Wireless) and an iPhone 9 (T-Mobile).

18. There were 8,368 files contained within 160 folders in the account MARQUISELATIMER@AOL.COM. Your Affiant reviewed the files and found approximately 134 files (87 images and 64 videos) depicting child pornography, namely prepubescent boys and girls without pubic hair engaged in sexual activity, including oral sex, anal sex, and masturbation with other children and/or adult men and women, as well as nude, prepubescent boys and girls with no pubic hair displaying their genitals in a lascivious manner. Three of the files are described as follows:

a. **YWllcx84I-f4rWUe.mp4** – a video file depicting an adult male engaging in anal sex with a prepubescent boy with no pubic hair. The file was added to the account on December 10, 2018, at 01:40:41 GMT. The file was added to sub-folder “Vids” within folder “Vol2.”

b. **6696b1d5-951c-4027-9b89-a39e84a69b33.mp4** – a video file depicting an adult male engaging in masturbation and receiving oral sex from a prepubescent boy with no pubic hair. The file was added to the account on December 10, 2018, at 01:40:41 GMT. The file was added to sub-folder “bros,” which was located in sub-folder “Brothers 4” within folder “Vol2.”

c. **daughter fuck mom and dad 1.mpg** – a video file depicting an adult woman performing oral sex on a prepubescent girl with no pubic hair and no breast development.



The file was added to the Dropbox account on December 30, 2018, at 02:10:27 GMT. The file was located in folder "Vol2."

19. The last login to Dropbox account MARQUISELATIMER@AOL.COM occurred on December 6, 2019, at 19:21:06 GMT, from IP address 64.121.230.113 – the same IP address which accessed the Dropbox account BIGBOY912004@YAHOO.COM, as described above. This IP address was assigned by the Internet Service Provider RCN Telecom Services LLC. On February 2, 2020, in response to an Administrative subpoena, RCN Telecom Services LLC provided subscriber information and IP address history for IP address 64.121.230.113. The subscriber assigned this IP address on December 6, 2019, at 18:28:19 GMT and 19:25:20 GMT, was MARQUISE LATIMER, 230 Greenwood Road, Sharon Hill, PA 19079, with an account activation date of August 30, 2019. The account status was active, and the telephone number 267-245-1432 and email address MARQUISELATIMER@GMAIL.COM were associated with the account.

20. In September 2019, a Change-of-Address request was filed with the United States Postal Service, requesting that mail for MARQUISE LATIMER no longer be delivered to 2545 West Harold Street, Philadelphia, PA 19132, but instead be delivered to 230 Greenwood Road, Sharon Hill, PA 19079.

21. On January 6, 2020, the United States Postal Inspection Service advised that MARQUISE LATIMER has mail delivered to 230 Greenwood Road, Sharon Hill, PA 19079.

22. On February 18, 2020, your Affiant applied for and was granted a federal search warrant (Crim. No. 20-234-M), authorized by United States Magistrate Judge Carol Sandra Moore Wells, Eastern District of Pennsylvania, for 230 Greenwood Road, Sharon Hill, Pennsylvania 19079, to search for and seize evidence of violations of 18 U.S.C. § 2252.

23. On February 20, 2020, the federal search warrant was executed at 230 Greenwood Road, Sharon Hill, Pennsylvania 19079. MARQUISE LATIMER was present at the time of the search and agreed to speak with the Agents. The Agents advised LATIMER of his Miranda rights but further advised LATIMER that he was not under arrest and did not have to speak with the Agents. The interview was audio recorded.

24. During the interview, LATIMER admitted possessing and viewing multiple images of child pornography. He claimed ownership of the email account BIGBOY912004@YAHOO.COM, and stated that he is the only individual who has access to that email account. When Agents showed LATIMER the December 9, 2018 email exchange in which the user of the BIGBOY912004@YAHOO.COM account sent LEY26LEY26@GMAIL.COM one video depicting child pornography, LATIMER stated that he could not recall whether he had sent that email; however, LATIMER acknowledged that he might have sent it. LATIMER stated further that he no longer uses the BIGBOY912004@YAHOO.COM email account.

25. LATIMER further admitted accessing and viewing images of child pornography on an iPhone 10, which the Agents seized during the search. He explained that he would receive links to images of child pornography via email or text message, would view the images available at those links, and would then save the images available to Dropbox account MARQUISELATIMER@GMAIL.COM. LATIMER stated that the iPhone 10 is the only device that he has used to save and access videos and images of child pornography.

26. LATIMER's wife, TAMEISHA MICHELLE GARNETT, as well as LATIMER's minor stepdaughter and two minor stepsons, live at 230 Greenwood Road, Sharon Hill, Pennsylvania 19079, along with LATIMER. GARNETT was present during the search and

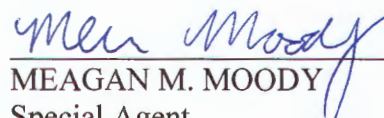


agreed to speak with Agents. She indicated that she had no knowledge of LATIMER's viewing of child pornography.

**CONCLUSION**

27. Based upon the information above, I respectfully submit that there is probable cause to believe that MARQUISE LATIMER, date of birth July 2, 1989, did distribute and attempt to distribute visual depictions of minors engaging in sexually explicit conduct, in violation of Title 18, United States Code, Section 2252(a), as more fully set forth in Attachment A.

28. Therefore, I respectfully request that the attached arrest warrant be issued authorizing the arrest of MARQUISE LATIMER, date of birth July 2, 1989.

  
\_\_\_\_\_  
MEAGAN M. MOODY  
Special Agent  
Federal Bureau of Investigation

SWORN TO AND SUBSCRIBED  
BEFORE ME THIS 20<sup>th</sup> DAY  
OF FEBRUARY, 2020

  
\_\_\_\_\_  
HONORABLE CAROL SANDRA MOORE WELLS  
United States Magistrate Judge

**ATTACHMENT A**

**Count One – Distribution of Child Pornography – 18 U.S.C. § 2252(a)(2), (b)(1)**

On or about December 9, 2018, in Philadelphia, Pennsylvania, in the Eastern District of Pennsylvania, defendant MARQUISE LATIMER knowingly distributed and attempted to distribute a visual depiction using any means and facility of interstate and foreign commerce, including by computer, the producing of which involved the use of a minor engaged in sexually explicit conduct, and the visual depiction was of such conduct. The minor depicted was a prepubescent minor who had not attained 12 years of age.